

Tanaka does not disclose or suggest any action to be taken or action to be stopped "after the quality of a data stream continues being lower than an acceptable quality for a predetermined period of time" (see independent claims 39, 43, 47, and 51) or "after the error rate of a data stream continues being higher than a predetermined error rate for a predetermined period of time" (see independent claims 41, 45, 49, and 53).

In the Office Action, (which preceded the interview and which was discussed during the interview), the Examiner replied that effectively, if the count of errors still remains different from the threshold, the audio would be still muted for that subsequent period. However, Applicant has already stated that in Tanaka "the audio signal continues to be muted as long as the error count for each subsequent synchronization period is not below a second, lower, threshold." The point is not that the signal can continue to be muted in Tanaka, but that as soon as the threshold number of errors occurs, the audio is muted, whereas in the present invention the threshold can be exceeded without stopping the output. In the present invention the output is stopped when the threshold is exceeded for a predetermined period of time. This is not disclosed or suggested by Tanaka.

As discussed above, in light of these arguments, the Examiner acknowledged that the applied prior art is overcome. Accordingly, it is submitted that the present application is in condition for allowance.

The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,

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